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HIGH COURT OF JUDICATURE CHHATTISGARH: BILASPUR

SINGLE BENCH : HON'BLE SHRI S.R. NAYAK, CJ

Writ Petition No. 908 of 1998

PETITIONERS

1. Chitki s/o Bundram aged about 55 years
2. Shital Prasad s/o Bundram aged about 45 years
3. Jagdev s/o Bundram aged about 43 years

All are by Caste Aghariya, resident of Village Lailunga, Tahsil Gharghoda, Dist. Raigarh.

VERSUS

RESPONDENTS

1. State of M.P. through Secretary, Revenue Department Vallabh Bhawan, Bhopal.
2. The Collector, Raigarh, Dist. Raigarh, M.P.
3. The Sub Divisional Officer (Civil), Gharghoda, Dist. Raigarh, M.P.
4. Dev Pratap Singh s/o Gopal Singh, By Caste Raj Gond, Junadihi Village Lailunga Tah. Gharghoda, Dist. Raigarh.

Present: Shri P. Diwakar, learned Sr. Advocate with Shri Adil Minhaj, learned counsel for the petitioners.
Shri Sanjay S. Agrawal, learned G.A. for the State/ respondents 1 to 3.
Shri V.R. Tiwari, learned counsel for respondent No.4.

ORAL ORDER
(Passed on 22nd June, 2006)

The points that arise for decision are substantially similar to those that arose for decision in W.P. No.910 of 1998, disposed of by me, by a separate order today, except the details of the land, notice, proceedings

etc. In that view of the matter, I dismiss the writ petition with no order as to costs. The 3rd respondent-Sub Divisional Officer is directed to consider the reply already filed by the petitioners, if any, give the parties fair opportunity to submit their respective case and appreciate the evidence produced by them and pass appropriate order, in accordance with law, at an early date. It is, however, directed that the status-quo that obtains as on today with regard to possession of the subject property shall be maintained till the 3rd respondent disposes of the proceedings. After receipt of a copy of this order, before taking any further step and conducting any hearing, the 3rd respondent shall issue notice of hearing to the parties.

Sd/-
Chief Justice